

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

ERIC MARK L.,

Plaintiff,

vs.

CIV. NO. 1:23-cv-01044-KRS

**MARTIN O'MALLEY,
Commissioner of Social
Security,**

Defendant.

ORDER

Defendant, the Commissioner of Social Security (Commissioner), by and through his counsel, has filed an unopposed motion with this Court, pursuant to 42 U.S.C. § 405(g), to enter a judgment with an order of reversal with remand of the case to the Commissioner for further administrative proceedings.

Pursuant to the power of this Court to enter a judgment affirming, modifying, or reversing the Commissioner's decision with remand in Social Security actions under sentence four of 42 U.S.C. § 405(g), and in light of the Commissioner's request for remand of this action for further proceedings, this Court hereby REVERSES the Commissioner's decision under sentence four of 42 U.S.C. § 405(g) with a REMAND to the Commissioner for further administrative proceedings.¹ *See Shalala v. Schaefer*, 509 U.S. 292 (1993).



Kevin R. Sweazea
United States Magistrate Judge

¹ The Court will enter a separate judgment pursuant to Federal Rule of Civil Procedure 58.

Submitted by:

ALEXANDER M.M. UBALLEZ
United States Attorney

/s/ Filed Electronically 5/24/2024

MARGARET SOBOTA
Special Assistant United States Attorney

ATTORNEYS FOR DEFENDANT

Approved by:

/s/ Electronically approved on 5/22/2024

Laura Joellen Johnson

ATTORNEY FOR PLAINTIFF